

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

SHERYL MOULTON,

Plaintiff,

v.

GAYLE A. KERN, et al.,

Defendants.

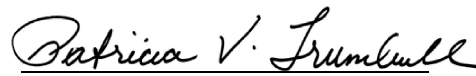
Case No.: C 10-3197 PVT

**ORDER SETTING DEADLINE FOR PARTIES  
TO FILE EITHER A "CONSENT TO PROCEED  
BEFORE A UNITED STATES MAGISTRATE  
JUDGE," OR ELSE A "DECLINATION TO  
PROCEED BEFORE A UNITED STATES  
MAGISTRATE JUDGE AND REQUEST FOR  
REASSIGNMENT"**

Currently pending before the court is Plaintiff's Application to Proceed *In Forma Pauperis*.  
Based on the application and the file herein,

IT IS HEREBY ORDERED that, no later than August 31, 2010, Plaintiff shall file either a  
"Consent to Proceed Before a United States Magistrate Judge," or else a "Declination to Proceed  
Before a United States Magistrate Judge and Request for Reassignment." Both forms are available  
from the clerk of the court, or from the court's website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov) in the Forms  
(Civil) section. Absent consent, a Magistrate Judge is not authorized to rule on certain matters, such  
as requests to proceed *in forma pauperis*. See 28 U.S.C. § 636(c)(1); see also, e.g., *Tripati v. Rison*,  
847 F.2d 548 (9<sup>th</sup> Cir. 1988). After receipt of whichever form Plaintiff chooses to file, the  
appropriate judge will rule on the pending application.

Dated: 8/12/10

  
PATRICIA V. TRUMBULL  
United States Magistrate Judge

*Counsel automatically notified of this filing via the court's Electronic Case Filing system.*

copies mailed on 3/13/10 to:

Sheryl Moulton  
309 Cedar St., #71  
Santa Cruz, CA 95060

/s/ Donna Kirchner for  
ELIZABETH GARCIA  
Courtroom Deputy